

Chapter 14

Credit Information Exchange

7-14-1 Definitions.

As used in this chapter:

- (1) "Credit reporting agency" includes any co-operative credit reporting agency maintained by an association of financial institutions or one or more associations of merchants.
- (2) "Depository institution" means any institution authorized by state or federal law to accept and hold demand deposits or other accounts which may be used to effect third party payment transactions. The definition of "depository institution" in Chapter 1, General Provisions, does not apply to Chapter 14, Credit Information Exchange.

Amended by Chapter 189, 2014 General Session

7-14-2 Legislative findings.

The substantial financial loss to the state and to trade and commerce within this state resulting from the dishonor or other return of checks, drafts, or other orders for the payment of money, including transactions to be consummated by electronic means, requires concerted effort by financial institutions to attempt to minimize the number of such occurrences. The Legislature finds that to facilitate such concerted effort adequate protection against liability of the participating financial institutions is necessary.

Enacted by Chapter 16, 1981 General Session

7-14-3 Information an institution may furnish.

Any institution doing business in the state may report to any other financial institution, or credit reporting agency the following:

- (1) that an account maintained to effect third party payment transactions has been closed out by the institution, the reasons therefor, and the identity of the depositor or account holder;
- (2) upon the request of another financial institution any other information in the files of the institution relating to the credit experience of the reporting institution with respect to a particular person as to whom inquiry is made; and
- (3) any information concerning attempted or potential activity to defraud a financial institution or to obtain funds from a financial institution by fraudulent or other unlawful means or other information relating to individuals sought by law enforcement authorities for alleged violations of criminal laws.

Enacted by Chapter 16, 1981 General Session

7-14-4 Immunity from liability.

No depository institution making any report or communication of information authorized by this chapter shall be liable to any person for disclosing such information to any recipient authorized to receive this information under this chapter, or for any error or omission in such report or communication.

Enacted by Chapter 16, 1981 General Session

7-14-5 Reciprocal exchange of information authorized.

One or more financial institutions may jointly agree with one or more other financial institutions for the reciprocal exchange of any information authorized to be reported by the provisions of this chapter. Such reciprocal exchange of information or the acts or refusals to act of one or more recipients because of such information does not constitute a boycott or blacklist, and is not otherwise a basis for liability to any person on the part of any participant in the reciprocal exchange of information authorized by this chapter.

Amended by Chapter 378, 2010 General Session